

Jannis G. Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 3 [Communication To Transmit The Declaration Of Dr. James G. Wetmur --
September 4, 2002]

REMARKS

By this Communication, Applicants are submitting the Declaration of Dr. James G. Wetmur, a respected and well-known expert in nucleic acid chemistry and hybridization and renaturation kinetics. A copy of Dr. Wetmur's Declaration is attached to this Communication as Exhibit A. Dr. Wetmur's expertise in the field also extends to nucleic acid arrays, DNA microarrays, biochips and the like, including Applicants' claimed array subject matter as set forth in claims 1576-1761.

It is respectfully requested that the Examiner consider the information contained in Dr. Wetmur's Declaration (Exhibit A) as it may relate to the patentability of Applicants' claimed array invention, particularly with respect to the new matter rejection under 35 U.S.C. §112, first paragraph (October 10, 2001 Office Action, pages 3-5).

Favorable action is respectfully requested.

* * * * *

Jannis G. Stavrianopoulos et al.

Serial No.: 08/486,070

Filed: June 7, 1995

Page 4 [Communication To Transmit The Declaration Of Dr. James G. Wetmur --
September 4, 2002]

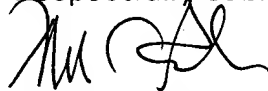
SUMMARY AND CONCLUSIONS

Claims 1576-2142 continue to be presented for examination in this application. No claims have been amended, added or canceled by this Communication.

No fee or fees are believed due in connection with the filing of this Communication or the Declaration of Dr. James G. Wetmur (Exhibit A). In the event that any other fee or fees are due, however, The Patent and Trademark Office is hereby authorized to charge the amount of any such fee or fees to Deposit Account No. 05-1135, or to credit any overpayment thereto.

If a telephone conversation would further the prosecution of the present application, Applicants' undersigned attorney request that he be contacted at the number provided below.

Respectfully submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

ENZO DIAGNOSTICS, INC.
c/o ENZO BIOCHEM, INC.
527 Madison Avenue, 9th Floor
New York, New York 10022
Telephone: (212) 583-0100
Facsimile: (212) 583-0150